

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
v.)
THOMAS M. FINNERAN,)
CRIMINAL ACTION
NO. 05-10140-RGS

**MOTION OF THE ASSOCIATED PRESS TO JOIN THE MOTION OF
GLOBE NEWSPAPER COMPANY TO INTERVENE AND TO VACATE OR
MODIFY JULY 13, 2005 PROTECTIVE ORDER**

The Associated Press (the "AP") respectfully moves to join the motion filed yesterday, July 26, 2005, by the Globe Newspaper Company, Inc. (the "Globe") to intervene in this proceeding for the limited purpose of requesting that the Court vacate or modify the Protective Order entered in this case on July 13, 2005.

As grounds for its motion, the AP relies on the memorandum of law filed on July 26, 2005 by the Globe in this matter. See also In re Boston Herald, Inc., 321 F.3d 174, 177 (1st Cir. 2003) (noting intervention of media in criminal case for purpose of pursuing access request); In re Globe Newspaper Co., 729 F.2d 47, 50 n.2 (1st Cir. 1984) (“Some courts have held that media representatives may challenge closure orders by appeal if they first intervene in the underlying action.”).

WHEREFORE, the Associated Press respectfully requests that its motion to join the Globe's motion to intervene be allowed, that the motion to intervene be allowed, and that the Court grant the motion to vacate or modify the July 13, 2005 Protective Order.

THE ASSOCIATED PRESS,

By its attorneys,

Jonathan M. Albano, Esq.
Jonathan M. Albano, BBO #013850

Carol E. Head, BBO #652170

BINGHAM MCCUTCHEN LLP

150 Federal Street

Boston, MA 02110-1726

(617) 951-8000

Dated: July 27, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney(s) of record for each other party by facsimile and by mail on July 27, 2005.

Carol E. Head